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RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

COMPLAINT FOR VIOLATIONS OF THE PERISHABLE AGRICULTURAL

- ENFORCEMENT OF STATUTORY CONSTRUCTIVE TRUST ESTABLISHED UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT],
- BREACH OF CONTRACT
- BREACH OF FIDUCIARY DUTY; CONSTRUCTIVE FRAUD

PARTNERSHIP,

NATURE OF ACTION

1. This is an action seeking an order for payment to plaintiff ABBATE of funds from defendants pursuant to the statutory trust established under the Perishable Agricultural Commodities Act hereafter ("PACA",) 7 $\underline{\text{U.S.C.}}$ § 499a, et seq., as well as damages for breach of contract based upon violation of Section 2 of the

ROBERT P. LEWIS, JR. 2596 MISSION ST., SUITE 300 SAN MARINO, CA 91108-1679 (213) 623-2297

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Perishable Agricultural Commodities Act of 1930, (7 U.S.C. 499b(4)) for constructive fraud based upon violation of fiduciary duties recognized under the Act.

JURISDICTION

The Court has jurisdiction of this action pursuant to 28 2. <u>U.S.C.</u> §§ 1331, 1334(b), 1345, and 7 <u>U.S.C.</u> § 499(a), et seq.

As to the claim for relief based upon breach of contract, this complaint arises under Section 7 of the Perishable Agricultural Commodities Act, 1930 (7 <u>U.S.C.</u> § 499e) for damages sustained by Plaintiff as the result of defendant's unfair conduct in violation of Section 2 of the Act (7 U.S.C § 499b). The Act being one regulating commerce, jurisdiction of this Court is invoked under 28 <u>U.S.C.</u> § 1337.

3. This court has supplemental jurisdiction over any state claims pursuant to 28 <u>U.S.C.</u> § 1367.

VENUE

4. Venue in this district is based on 28 <u>U.S.C.</u> § 1391 in that (a) plaintiff's claims arose in this district and (b) each of the defendants maintain places of business in this district.

THE PARTIES

- 5. Plaintiff ABBATE is a Limited Partnership organized and existing under the laws of the State of California, with its principal place of business located at 140 Heron Way, Merced, California 95340.
- 6. ABBATE is a grower of fresh produce and is an unpaid supplier and seller of wholesale quantities of perishable agricultural commodities under 7 <u>U.S.C.</u> 499e(c).

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- 7. Defendant P.Y. PRODUCE, LLC ("P.Y."), is a limited liability company organized and qualified to do business under the laws of the state of California and is licensed under Section 3 of the PACA, 7 <u>U.S.C.</u> § 499c, [PACA License # 20031528], and has operated as a dealer in perishable commodities within the meaning of Section 1(6) of the PACA, 7 <u>U.S.C.</u> § 499a(6), with its principal place of business at the Golden Gate Produce Terminal, 125 Terminal Court, Stall #62, South San Francisco, California, 94080. A true and correct copy of the on-line record of said PACA license is attached hereto as EXHIBIT A.
- Defendant JOSE GOMEZ ("GOMEZ") is an individual residing within this judicial district who has conducted business in this district.
- As reflected in $\mathbf{\underline{EXHIBIT}}$ $\mathbf{\underline{A}}$ GOMEZ is a person who is 9. responsibly connected with the above licensed dealer under the PACA within the meaning of Section 1(9) of the PACA, 7 U.S.C. § 499a(9), and as such is a fiduciary with respect to handling accounts receivable and proceeds subject to the statutory constructive trust arising under Section 5(c) of the PACA, 7 <u>U.S.C.</u> § 499e(c), held by said licensee for the benefit of unpaid produce creditors.

BACKGROUND OF THE PERISHABLE AGRICULTURAL COMMODITIES ACT

12. Congress enacted the PACA in order to provide a comprehensive scheme for the regulation of traders of fresh and frozen fruits and vegetables. The primary purpose of the PACA is to protect the suppliers of perishable agricultural commodities from unfair trade practices committed by commission merchants, dealers and brokers, which unfair practices include failure to pay for produce which is bought.

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- 13. The failure of purchasers of produce to pay for the same constitutes a violation of "Prompt Pay" Provisions of Perishable Agricultural Commodities Act [7 U.S.C. § 499b(4)].
- 14. Effective May 7, 1984, Congress amended the PACA in order to provide further protection to the suppliers of perishable agricultural commodities. As a result, in all transactions subject to the PACA, wholesale distributors, commission merchants, dealers or brokers involved are required to hold "perishable agricultural commodities . . . all inventories of food or other products derived from perishable agricultural commodities and any receivables, or proceeds from the sale of such commodities or products" subject to a "trust for the benefit of all unpaid suppliers or sellers of such commodities or agents involved in the transaction . . . " [7 <u>U.S.C.</u> § 499e(c)].
- 15. The regulations promulgated by the Secretary of Agriculture to implement the 1984 and 1995 amendments to the PACA provide that the trust assets be preserved are to nonsegregated floating trust, and that a seller or supplier may preserve its trust benefits by filing timely written notice with its customers and with the Secretary of Agriculture. [7 C.F.R. § 46.66(c)(q)], or by setting forth on its invoices to its customers, the statutory language contained in Section 5(c)(3) of the PACA [7 U.S.C. § 499e(c)(4)].

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FIRST CLAIM FOR RELIEF

(Enforcement of the Statutory Trust Provisions of the Perishable Agricultural Commodities Act)

16. ABBATE incorporates all of its prior allegations in this

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17. ABBATE in the normal course of its business, sells, ships and supplies fresh produce to wholesale distributors, processors, commission merchants, dealers and brokers of fruits and vegetables

in interstate transactions.

18. During the period from on or about July 8, 2010, through on or about August 21, 2010, ABBATE sold and delivered to P.Y. various perishable agricultural commodities, including, but not limited to, various types of watermelons, onions, pepper, corn and other such products for which P.Y. agreed to pay ABBATE the sum of approximately \$57,855.45.

- 19. The terms of sale were FOB with payment due in 10 days with interest at the rate of 1.5% per month on all past due accounts.
- 20. P.Y. accepted all of the shipments of produce without objection.
- 21. With the exception of a payment of \$227.50 made on or about September 13, 2010, P.Y. has failed to pay for the produce in question and there is now past due and owing to ABBATE from P.Y. the sum of \$57,627.95 plus interest thereon at the rate of 1.5% per month from on or about August 31, 2010.
- 22. Copies of ABBATE'S invoices pertaining to the shipments in question are collectively attached as ${\tt EXHIBIT~B}$.

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SECOND CLAIM FOR RELIEF

(Breach of Contract - Damages for Violation of "Prompt Pay" Provisions of Perishable Agricultural Commodities Act [7 U.S.C. § 499b(4)]).

- 23. ABBATE incorporates all of its prior allegations in this complaint.
- 24. P.Y. has failed and refused to pay to ABBATE the amount which it agreed to pay for the produce sold and delivered. By virtue of the foregoing, P.Y. in breaching its contract with ABBATE has violated the "Prompt Pay" Provisions of Perishable Agricultural Commodities Act [7 <u>U.S.C.</u> § 499b(4)] and as a result, ABBATE has been damaged in the amount of \$57,627.95 plus interest thereon at the rate of 1.5% per month from on or about August 31, 2010.

THIRD CLAIM FOR RELIEF

(Breach of Fiduciary Duty to PACA Trust Beneficiary Constructive Fraud)

- 25. ABBATE incorporates all of its prior allegations in this complaint.
- 26. At all times mentioned herein, GOMEZ was a "dealer" engaged in the business of buying and selling produce within the meaning of 7 U.S.C. § 499a(b)(6). Furthermore, ABBATE is informed and believes that GOMEZ controlled, managed and had control over the financial dealings of P.Y., including the PACA trust assets which are the subject of this action, in that GOMEZ occupied the positions of shareholder, officer and director of P.Y. and the individuals who managed its day-to-day operations.
- 27. By virtue of the provisions of the statutory trust established under the PACA, GOMEZ owed a fiduciary duty to ABBATE

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to see that the PACA trust was maintained for the benefit of ABBATE. GOMEZ breached their fiduciary obligations under Section 5(c) of the PACA, by failing ensure that P.Y. made the payments to ABBATE required in order to satisfy the trust interests of ABBATE which have been properly preserved.

- 28. ABBATE is informed and believes and thereon alleges that GOMEZ received PACA trust fund assets from P.Y. which rightly belong to ABBATE, and has, furthermore, wrongfully directed the disbursement of trust funds to third parties, has violated his fiduciary duties to ABBATE and is guilty of constructive fraud.
- 29. By reason of the foregoing, GOMEZ holds PACA trust fund assets as trustee for the beneficial interest of ABBATE, and is personally liable to ABBATE for the dissipation of the PACA trust assets to the extent of the claims of ABBATE.

REQUEST FOR INTEREST ON AMOUNT DUE

30. Pursuant to the agreement between the parties, as set forth in the invoices ABBATE is entitled to interest at the rate of 1.5% per month on the unpaid balance from on or about August 31, 2010.

REQUEST FOR ATTORNEY'S FEES

31. Pursuant to the agreement between the parties, as set forth in the invoices, ABBATE is entitled to recover its attorney's fees incurred in collecting the amount due.

WHEREFORE, plaintiff prays as follows:

AS TO FIRST CLAIM FOR RELIEF:

- 1. For damages in the amount of \$57,627.95;
- 2. For prejudgment and post judgment interest on the amount found due to ABBATE at the rate of 1.5% per month from on or about

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August	31,	2010	, and	d ac	cording	to	law;		
AS TO	SECO	ND CL	AIM	FOR	RELIEF	_	(Breach	of	Contract/Violation

PACA "Prompt Pay" Provisions of PACA):

- a. For damages in the principal amount of \$57,627.95;
- b. For pre-judgment interest at the contract rate of 1.5% per month from on or about August 31, 2010.

AS TO THIRD CLAIM FOR RELIEF (Breach of Fiduciary Duty to PACA Trust Beneficiary Constructive Fraud):

For judgment against GOMEZ in the amount of \$57,627.95. less any amounts paid by P.Y. to satisfy this judgment.

AS TO ALL CLAIMS FOR RELIEF:

- a. For attorneys' fees and costs;
- b. For pre-judgment and post-judgment interest on the amount found due to ABBATE at the rate of 1.5% per month from on or about August 31, 2010, and according to law;
- c. Such other and further relief as the court deems just and proper.

Dated: January 20, 2011

Law Office of Robert P. Lewis, Jr.

of

Robert P. Lewis, Jr. Counsel for Plaintiff

EXHIBIT A

Fruit and Vegetable Programs

Search PACA

Search Again 🗲	I GoBack,	to the precious	page 🖛
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<u>License No.</u> 20031528	Date Issued 9/25/2003	Anniversary Date 9/25/2011	Status Active					
Business Nan		<u>City</u>	<u>State</u>					
PY PRODUCE L	LC	SOUTH SAN FRANCISCO	CA					
Reported Prin	ncipal (Last Name	e, First Name)						
<u>Trade Names</u> None								
V								

Branch Name, Branch City, Branch State None

Return to: Perishable Agricultural Commodities Act (PACA)

EXHIBIT B

Case 4:11-cv-00319-PJH Document 1-2 Filed 01/21/11 Page 12 of 58

ABBATE FARMS

Invoice

Mail 140 Heron Way

Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler

14301 S. Roberts Rd Stockton, CA 95206

Phone (209) 943 5147 Fax (209) 465 6928 20677

Date

7/8/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	7/18/2010	GC		Abbate
Quantity		Description	n	Price 1	rice Each Amoun	
90 45		J			14.50 8.00 10.00 7.50	710.50 720.00 450.00 420.00
	Thank	you for your business		Total		\$2,300.50

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

	Office 140 Hero Merced (209) 72:	on Way CA 95340			· · · · · · · · · · · · · · · · · · ·	A 95231				
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		Italian Parsley	2 ½ DZ	3						
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Received By-

ABBATE FARMS

Cooler

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Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719

Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

Date

7/8/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	7/18/2010	GC		Abbate
Quantity		Description			Price Each	Amount
45	Yellow Onions #2	2 J			10.00	450.00
	Thank	k you for your business		То	tal	\$450.00

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

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ABBATE FARMS

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 20679

Date 7/10/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	7/20/2010	GC		Abbate
Quantity		Description	1	Prio	e Each	Amount
80 70 2 45 49	Kabocha Corn Green Cabbage Corn,Bins #2 Ne Yellow Onions C Bell Peppers - Ch Hot Pepper	C			16.00 8.50 6.50 40.00 16.00 10.00 14.50	160.00 680.00 455.00 80.00 720.00 490.00 710.50
	Thanl	k you for your business		Total		\$3,295.50

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under

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ABBATE FARMS

Cooler

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Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719

Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

Date

7/12/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	7/22/2010	GC		Abbate
Quantity		Description		Price	Each	Amount
90	Corn Red Onions #2 J Yellow Onions C				8.50 8.00 16.00	680.00 720.00 720.00
i de la constanta de la consta	Thank	you for your business		Total		\$2,120.0

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

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Merced, (209) 72	Cooler PO Box 755 Merced, CA 95340 (209) 723-3716 Fex (209) 723-3719 SOLO TO: Cooler PO Box 755 French Camp, CA 95231 (209) 943-5147 Fax (209) 465-6928								
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	Dandelion	1 DZ							
-	Regular Parsley	2 ½ DZ	/)		المنابعة والمنابعة				
3	Regular Parsley	5 DZ							
	Italian Parsley	2 ½ DZ							
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U.S.	Yellow Onions	6							
1	Yellow Onions				20 Table 10				
	Beil Peppers	Choice							
	Bell Peppers	Large							
	Bell Peppers	X Large							
	Broccoli			Sarah ya					
	Watermelon Seeded								
	Watermelon Seeded]						
	Watermelen Seedless				22				
	Watermelon Seedless				1				
	Pickles								
	Pickles	75-2	Α	٠					
	Pallets	- (A	F)		1. A				
	Thank		4-1-1	1/					

*५५/५*८ Invoice

ABBATE FARMS

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

20681

Date

7/13/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	7/23/2010	GC		Abbate
Quantity		Description		Price I	Each	Amount
	Yellow Onions #2 Kabocha M Watermelon Seed	2 J Iless, Bins #4 Net wt 2112	2#		10.00 16.00 112.00	900.00 160.00 336.00
	Thank	you for your business		Total		\$1,396.00

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(e) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect amy balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

ABBATE FARMS

Cooler

20682

140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

Date

7/14/2010

Sold To

Mail

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Re	p	Via
		Net 10	7/24/2010	G	С	Abbate
Quantity		Description	n		Price Each	Amount
49					8.50 6.50 10.00 11.00 14.00	
	Thank	x you for your business		T	otal	\$3,077.50

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under

lerced, 209) 72	on Way, CA 95340 3-3716 9) 723-3719		Cooler PO Box French (209) 94 Fax (20)	Camp, 3-5147	2.54	11	
SOLD 1		Ογο	duc DAT		/14//	0	
QUAN	ASE ORDER:	PACK	7.7		UNT	ř	
GUAIT	Romaine	1.401	10.00	1 , ,			
	Green Leaf			3.12.1.			
	Red Leaf	4.80	1	·		1	
40	OYN				1000		
25	Green Cabbage						
<u>~~~</u>	Red Cabbage	est.			,		
	Savoy Cabbage			J			
93 8	Dandelion	1 DZ				_	
	Regular Parsley	2 % DZ	- <		4,5 342 6		
7, 17 0 2, 18 18 18 18 18 18 18 18 18 18 18 18 18	Regular Parsley	5 DZ		12			
2	Italian Parsley	2 ½ DZ	- 	S	2		
ه هر این های این این این این این این این این این ا	Italian Parsley	5 DZ :	~ ~ { @		9.50		
	Celery	2000	Q	T.			
	Celery		G	(<u>)</u>	7 8	
	Celery Root	12.3	, 2	-	3		
E/J#	Beets	1 DZ	q		2		
	Leeks	1 DZ				1 1	
Ž,-	Red Onions	371.	2011 had			7 1	
d* 1977 3454	Red Onions	1,000		<u> </u>			
35	Yellow Onlons	JH2				7	
الك	Yellow Onions	01712				7 1	
LQ.	Bell Peppers	Choice			~	7 1	
1.1.	Bell Peppers	Large	-	, · · ·			
49.	Bell Peppers	X Large		-4	:	7 1	
2	Broccoli/		-Kgi/r		-,		
**	Watermelon Seeded	. :			1.		
	Watermelon Seeded				- pilot To	7	
·	Watermelon Seedless		24.5		in a fine	7 11	
	Watermelon Seedless		1		1	-	
-	Pickles						
	Pickles	-					
4	901915	(AF		;	ou 11 s		
-	7/18/11/3	-		ita e		7 1	
	Total Amount D	ue				7 8	

ABBATE FARMS

Cooler 14301 S. Roberts Rd Stockton, CA 95206

Phone (209) 943 5147 Fax (209) 465 6928

Date

20696

7/15/2010

Sold To

Mail

140 Heron Way

Merced, CA 95341

Phone (209) 723 3716

Fax (209) 723 3719

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Re	p	Via
		Net 10	7/25/2010	GC		Abbate
Quantity		Description			Price Each	Amount
35 3 3		bbage led, Bins Net wt 2086# lless, Bins Net wt 2107#			6.50 85.00 112.00	255.00
	Thank	c you for your business		To	otal	\$818.50

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller In persnapse agricultural commonues insee on this invoice are soil subject to the statutory trust authorized under section 1(2) of the reinshapse Agricultural commonues (Ar., 1990 (7) U.S.C., 4998(c). The select of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

41/48

172	A Way CA 95340 3-3716) 723-3719	D	(209)94	: 755 Camp, CA 95 13-5147 9) 465-6928	231	
SOLD T	O: O: O		/ <u>UC</u> DAT	E 7/15/	70	
QUAN	ITEM	PACK	PRICE	AMOUNT		
V14.7	Romaine -			- 1		
3.77	Green Leaf		1			
	Red Leaf	,				
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Butter	7:				
35	Green Cabbage	\overline{c}	\$ 17.20	Sarah Nasa		
	Red Cabbage					
	Savøy Cabbage					
	Dandelion	1 OZ				
el es	Regular Parsley	2 ½ DZ		ş.		
	Regular Parsley	5 DZ				
	Italian Parsley	2 1/2 DZ		2		
	Italian Parsley	5 DZ	8	10		
	Celery	Tell Areas				
	Celery			THE B		
5	Celery Root		7	Œ		
172	Beets	1 DZ	Ď	Õ	400	
	Leeks	1 DŻ		d		
	Red Onions			40.		
	Red Onions		/ . /	Distriction	7. f	
	Yellow Onlone	Title (再度	
	Yellow Orions	14. 15.	4.2.1.1			
ister of the	Bell-Peppers	Choice				
म्हर्ग हेल्य अर्थन्त्रीय इ	Bell Peppers	Large -	<u></u>	بولىدى بالمائد . المحج		
·	Bell Peppers	X Large		i en la companya di salah di s		
·	Broccoll	17:24		September 1881		
and the second	Watermelon Seeded			والمعاصم والمراوي		
3	Watermelon Seeded	#3				
	Watermelon Seedless	- 3 - 3	=			
3	Watermelon Seedless	#4	,			
113000	Pickles					
·	Pickles	ļ				
3	Pallets	AF	3 .			
	Thank do	V	-	garganianaga Talah dalah dalah Tal ah		
-	Total Amount Du	1e	1 7			

38/48 Invoice

ABBATE FARMS

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

20697

Date 7/17/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Produce of USA

P.O.	Number	Terms	Due Date	R	ep		Via
		Net 10	7/27/2010	G	С		Abbate
Quantity		Description			Price Ea	ich	Amount
25 135 1		Med, Bins #3 net wt 462# less, Bins #4 net wt 422	.1#		1	12.85 15.00 9.00 35.00 12.00	719.60 375.00 1,215.00 85.00 672.00
	Thank	you for your business		Т	otal		\$3,066.60

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered suns owing in connection with this transaction under

		الأي المناسبين المستسمرين	, , , , , , , , , , , , , , , , , , ,	77	0697	
	⊿8Â	ATE FARM	S	21	0697	
5	Office		•	Cooler		-
	140 Hero	on Way		PO Bo	k 755	٠.
	Merced,	CA 95340		French	Camp, CA 952 43-5147	31
	(209) 72: Fax (209	723-3719		Fax (20	9) 465-6928	
		0 4	Pu	odi	حت ر	
	SOLD T	0: 100/0	 	Vari	2/12/1	<u> </u>
6	PURCH	ASE ORDER:	\$ m =	DAT	ге: <u>7/17//(</u>	_
	QUAN	TEM	PACK	PRICE	AMOUNT	
		Romaine	1.			
		Green Leaf				
1		Red Leaf	·~ y ~ ~] ;		وه ما در اورا	1
1	56	Butter Egg Plant	24			
-	1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	Green Cabbage				
		Red Cabbage	يا مشهور و مدود ا		Sold of the state of	
		Savoy Cabbage			والمراكبة المتعادلة والمتعادلة وا	
		Dandelion	1 DZ			
Ī	5	Regular Parsley	2 ½ DZ	- 20		
		Regular Parsley	5 DZ	-		
		Italian Parsley	2 ½ DZ		-41 - 12	
		Italian Parsley	5 DZ		2	
	25	Colory (Cabocha	XL		5 3	┛
12		Gelery	4 11 34			
	4	Celery Root		- 1.3	>0	4
1		Beets	1 DZ	* **		
		Leeks	1 DZ	Ž	<u> </u>	
	4条人	Red Onions		-		
	المراجعة المنافعة	Red Onions		4	The Section of	4
	135	Yellow Onions	M#2			
		Yellow Onlons		-		4
		Bell-Peppers	Choice	,		4
		Bell Peppers	Large		•	
		Bell Peppers	X Large	1		
	28	Broccoli	* An ni	-		
H	D bins	E. 15.	平3	1	*	
	7	Watermelon Seeded	41 745			_
	lob'ns	Watermelon Seedless	41/7	1.		-
		Watermelon Seedless				4
		Pickles	 	-	<u> </u>	\dashv
	0	Pickles	12/	-		\dashv
	_ ح إ	Lake 12	CAT			
		Thank Ja				-
		Total Amount D	reserved to	1	[إلـــ

ABBATE FARMS

Cooler

20698

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719

14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

Date

7/20/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	7/30/2010	GC		Abbate
Quantity		Description		Pric	e Each	Amount
45 49 49 6 3					8.50 15.85 10.85 14.85 85.00 112.00 10.00	713.25 531.65 727.65 510.00 336.00
	Thank	you for your business		Total		\$3,267.55

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

Merced (209) 72	723-3719	ns P	Coole PO Bo Frenci (209) 9	x 755 h Camp, CA 9523 443-5147 09) 465-6928	
	IASE ORDER:		DA	Company of the compan	10
QUAN	TEM	PACK	PRICE	AMOUNT	4
4-1-20-1-	Romaine				4 !
en e	Gréen Leaf	-			
D)#5(Red Leaf		7.7		-
3 2	ORN		3 440		1
	Green Cabbage	}	-		
	Red Cabbage		 		1 [
	Savoy Cabbage	A 100 CT 1			4
2	Dandelion	1 DZ			
्रार्थितः । जनसङ्ख्या	Regular Parsley	2 ½ DZ			4 3
F-1	Regular Parsley	5 DZ			134
কুল্লান্ত্র জুল্লান্ত্র	Italian Parsley	2 ½ DZ		e +28	1
Last - W	Italian Parsley	5 DZ	3	্ত	
	Celery	F R.F 1-2.4	0		
	Celery		13	60.3	
40,240,742	Gelery Root		_ a		
3 10 Th 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Beets	1 DZ		9	1
A Company of the Comp	Leeks.	1 DZ		_ 4	
Ĉ.	Red Onions				1
	Red Onions				
45	Yellow Onions	<u></u>			
	Yellow Onlons				
44	Bell Peppers	Choice		2.0	
· + + + +	Bell Peppers	Large .			1 1
49	Bell Peppers	X Large			
	Broccoli	35	r rain Filiparente		
_ ي	Watermelon Seeded	#3			1 1
	Watermelon Seeded	SE SECTION			
3	Watermelon Seedless	#5			
200	Watermelon Seedless				
ها:	Pickles	L	2 T 10 T 10 T		
	Picklés	-	\	· · · · · · · · · · · · · · · · · · ·	
7	"Hallety"	MH	24		
	THOK	الالا	(LO		
5,000 m	Total Amount Du	ie		EXH	

34/48 Invoice

ABBATE FARMS

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

20699

Date 7/22/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

Ship To

P.O.	Number	Terms	Due Date	Rep		Via
•		Net 10	8/1/2010	GC		Abbate
Quantity		Description		Price I	Each	Amount
24 56 6	Corn Kabocha M Eggplant 24 ea Watermelon Seed Pickles	iless, Bins #4 net wt 431	6#		8.50 15.00 10.85 112.00 10.00	340.00 360.00 607.60 672.00 720.00
	Thank	you for your business		Total		\$2,699.60

Please Note:

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	LE FARM	S	20	699		
(209) 723	n Way CA 95340 13716) 723-3719	Pv	(209)94	755 Camp, CA 95 3-5147 9) 465-6928	231	
	ASE ORDER:	eg elektris en ar ek	DAT	: <u>7/2z</u>	<u> Z</u> p	
NAUO	ITÉM	PACK	PRICE	AMOUNT		
	Romaine					<u> </u>
	Green Leaf				1	
	Red Leaf					
40_	Butter COVID					
	Green Cabbage					
ESSO CONT	Red Cabbage			ing the state of the	1	The state of the s
	Savoy Cabbage					X
	Dandellon	1 DZ		o o operanda		
	Regular Parsley	2.½ DZ				
	Regular Parsley	5 DZ		3.20		
	Italian Parsley	2 1/2 DZ				
	Italian Parsley	5 DZ		E		
74	County Kabacha	M	O	10 mm		
50	Mery Egg Plan	74	Q		7	
	Celery Root		(0)	>0		
17 - P	Boeis	1 ĎZ		TO G		
445-244	Leeks	1 DZ	U	Ď		
	Red Onions	100		- 2	뒥	
200 - 200 -	Red Onions	34.1.2	-	100	1	
15.4	Yellow Onions	1	(E) 1/2	र र विक्रियम्		
	Yellow Onions					
100 P 400 P	Bell Peppers	Choice	4.4			
	Bell Peppers	Large				100
	Bell Peppers	X Large				
	Broccoli				피	
	Walermelon Seeded	35 20 Feb. 1	7 (a) (\$2.00) 2 (a) (b)	- 1-17 T 1-1-1	7	#
संस्था कर मह	Watermelon Seeded		1		=	
	Wetermelon Seedless	111				
	Watermelon Seedless	714	-	The state of the state of		
75	Pickies	L			7	7
× 4	Pickles		.):	Jana de de de la composição de la compos		
-	Orizale	771	N= -:-	ا <u>سار کا دور الم</u>	1	
<u> </u>	FE THE TE	P. /	1	s dam daming in		
Contract	Total Amount D	UU .		****		
La contra	The state of the s		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	- <u>التري</u> د	B IT B - 0000
v			: ·	⋰┈┕⋎	′ ЦП	WIT B _ NNNN'

32/48

ABBATE FARMS

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719

Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

20700

7/24/2010

Date

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
	<u></u>	Net 10	8/3/2010	GC		Abbate
Quantity		Description	l		Price Each	Amount
40 35 49 49 90	Green Cabbage Eggplant 24 ea Eggplant 18 ea Yellow Onions #2 Yellow Onions #2 Bell Peppers - Ch Watermelon Seed	2 J			15.00 8.00 7.00 9.00 9.00 8.00 10.00 9.85 85.00 112.00	735.00 320.00 245.00 441.00 720.00 900.00 482.65 255.00 336.00
	Thank	c you for your business		То	tal	\$4,875.65

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

	HICE.	阿斯斯斯斯斯斯	, * •	Cooler PO Bo						
	140 Her Merced	on way CA 95340	 3 \ \ v	Frenci	x /əə ı Camp,	ÇA 9523	n e			
	(209) 72	3-3716		(209)9	43-5147					
	+ax (20:	9) 723-3719		Pax (2	09) 465-(928	1		•	
	SOLD 1	го:	9	ria	JUCA	<u>2</u> 7	_			
	PURCH	IASE ORDER		DA	te: <u>7</u> /	24/1	2			
;; -	QUAN	ITEM	PACK	PRICE	AM	TNUC	7			
	49	Remaine 0/0 Peres						1		
		Green Leaf			٠.,		1			
		Red Leaf					1	1		
	40	Buffer COYO		ار در خصور ارز		*	7			
	35	Green Cabbage		-	. 7.		7	3		
).).		Red Cabbage			. 7.		7 1			
	100	Savoy Cabbage	:	·	-		1. 1	4		
		Dandeljon	1 DZ		1.5 × 1.		$1 \cdot 4$			
		1.6	2.14 DZ	· · · · ·			1 1			
	.,		5 DZ	-			1			
	*****	Italian Parsley	2 ½ DZ		-	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	1	4		
	-	Italian Parsley	5 DZ		5	(1)				
	IJŒ	A PAGE IN T	24		70	13.	- - 4:	3		
	70	Seleny 29 Mant	200		Lates	3	4.7			
	79	Gery 299 Plant	18	1	5	<u> </u>	1			
		Celery Root	4.07	1	3	2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	+			
		Beets	1.DZ	, i			-			
	1. T.	Leeks	i DZ	- * * ·			-			
	*	Red Onlons				_ 1,	-	7		
	() /\	Red Onions					_	3		
3	70		M#2			-	- 4	<u> </u>		
ğ., Y	40	Yellow Onlons	J#2				1 1			
	7	Bell Peppers	Choice.				1 1	arent a		
	-	Bell Peppers	Large	7 -				3		
	* : *	Bell Peppers	X Large	1			1			
		Broccoli	110	1.0			41	्र पूर्व विकास		
	3000	Watermelon Seeded	#3_	-	. :		1.4			
·		Watermelon Seeded	1121				11	. 4		
	350		#4		.,		1 1	A CONTRACTOR		
٠,	نتبا	Watermelon Seedless	NATIONAL CONTRACTOR		1.1.	· · · · · ·		7		
	1	Pickles	(4)	1,2				Service Servic		
		Pickles				·	11			
	12	Porrets 1	-AF)			12	1 1	A STATE OF		
		Thank So	10			,				
2		Total Amount Du	e 🗀 -		<u>`</u> ``	Chinala.	1 - 1	3		

ABBATE FARMS

Invoice 28751 22/48

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716

Fax (209) 723 3719

Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

Date

7/28/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O. Number		Terms	Due Date	Rep		Via		
		Net 10	8/7/2010	GC		Abbate		
Quantity	ntity Description				Price Each	Amount		
35 49 98 49	Hot Pepper Green Cabbage Eggplant 18 ea Eggplant 24 ea Bell Peppers - Ch Bell Peppers - XX		5#		12.00 15.00 7.00 7.50 7.50 8.00 12.00 85.00	288.00 735.00 245.00 367.50 735.00 392.00 588.00 255.00		
	Thank	c you for your business		Tot	al	\$3,605.50		

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

Merce (209) 7	TE FARN ron Way d, CA 95340 23-3716 09) 723-3719 TO: D		Frenc (209)	x 755 h Cam 943-51 09) 46	p, CA 9 47 5-6928	5231			23,	
` · · ` ` `	HASE ORDER:			TE:	7/2	8//	0			
QUAN	тем		PRICE	A	MOUN		1			
24	14vo	502			A SA		1			
	Green Leaf		100 m						÷	
	Red Leaf									
49	Butter Jala Peñas									
35	Green Cabbage	1					1			
1	Red Cabbage				1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -					
	Savoy Cabbage	17								
	Dandellon	1 DZ								11
5	Regular Parsley	2 ½ DZ								
	Regular Parsley	5 DZ								
	Italian Parsley	2 ½ DZ								
	Italian Parsley	5 DZ		<u>b_</u>	(2					
149	3 Plant	18		F						
98	Plant	24	1	2			1			
	Celery Root			D	- (3		4			
	Beets	1 DZ	7 3 4 6							
	Leeks	1 DŽ								
	Red Onions					7				
	Red Onions									
	Yellow Onions									
	Yellow Onions									
पव	Bell Peppers	Choice								
	Bell Peppers	Large			124 P.					
149	Bell Peppers A	X Large	- 25,700	1						
	Broccoli					7	1			
13	Watermelon Seeded	144		1						
4	Watermelon Seeded				· *	77	1	•		
1	Watermelon Seedless				-	-				
1	Watermelon Seedless	7 37 3	-	T -						
1	Pickles		-	1						
1	Pickles	-		1	7.5	-	1			
OF	Dallate	AF	-							
 	The W	7	1	1		-	1			
-	Total Amount D	le.		1		-				
<u></u>	1 com animomic Di		ببينا	ــــــــــــــــــــــــــــــــــــــ		البيد.	1			

24/48

ABBATE FARMS

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 28752

7/29/2010

Date

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms Due Date		Rep		Via		
		Net 10	8/8/2010	GC		Abbate		
Quantity	•	Description		Price Each	Amount			
90 90	Green Cabbage Red Onions M Yellow Onions J Pickles F				7.00 5.00 8.00 5.40	245.00 450.00 720.00 469.80		
	Thank you for your business				tal	\$1,884.80		

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(g) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under

140 Heron Way Merced, CA 95340 (209) 723-3716 Fax (209) 723-3719				Cooler PO Box 755 French-Camp, CA 95231 (209) 943-5147 Fax (209) 465-6928				
	ASE ORDER:		DA	7/00	[19			
QUAN	MEM	PACK	PRICE	AMOUNT				
	Romaine							
	Green Leaf	-						
	Red Leaf							
	Butter							
25	Green Cabbage							
	Red Cabbage		Lange Trans	Vana de la company				
	Savoy Cabbage							
0	Dandelion	1 DZ	100 3 4 8 8					
	Regular Parsley	2 ½ DZ	3 4 4					
	Regular Parsley	5 DZ -	400					
	Italian Parsley	2 1/2 DZ						
	Italian Parsley	5 DZ	-	•				
	Celery		1	2700				
	Celeny		Ę					
	Celery Root		. (30				
	Beets	1 DZ						
	Leeks	1 DZ	•					
40	Red Onions	M						
	Red Onions							
90	Yellow Onions	2						
	Yellow Onions							
	Bell Peppers	Choice						
	Bell Peppers	Large						
	Bell Reppers	X Large			3			
	Broccoli	en .						
	Watermelon Seeded							
	Watermelon Seeded							
	Watermelon Seedless							
	Watermelon Seedless							
87	Pickles	F						
	Pickles			الراق المراقب المراقب المراقب المراقب				
6	0/18-15	(AF)		en per pen in the of Tagen				
	Thomas yo	1/						

96/48 Invoice

ABBATE FARMS

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 28753

7/31/2010

Date

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O. `	Number	Terms	Due Date	Rep		Via
		Net 10	8/10/2010	GC		Abbate
Quantity		Description			Price Each	Amount
24 49	Butternut M Bell Peppers - Ch Watermelon Seed	i iless, **Boxes** #8 Net wt	1750#		16.00 7.85 12.00	384.65
	Than	ak you for your business		To	otal	\$1,188.65

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice any balance due hereunder shall be considered sums owing in connection with this transaction under payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

27/48

(209) 72:	CA 95340	Gooler PO Box 755 French Camp, CA 95231 (209) 943-5147 Fax (209) 465-6928					
SOLD T		Produce 7/31					
PURCH	ASE ORDER:		DAT		<i>ل</i> ا 1		
QUAN	ITEM	PACK	PRICE	AMOUNT	1		
	Romaine			en de la companya de			
	Green Leaf						
	Red Leaf		100 Sept. 100 Se		1		
24	Green Cabbage	M			1		
	Red Cabbage						
	Savoy Cabbage						
	Dandellon	1 DZ	10 m		1		
	Regular Parsley	2 ½ DZ					
	Regular Parsley	5 DZ	W 100 A		J		
	Italian Parsley	2 ½ DZ					
	Italian Parsley	5 DZ					
	Celety		O	C			
	Celery		2	L			
	Gelery Root		T.	30			
	Beets	1 DZ		O	1		
	Leeks	1 DZ	e e				
	Red Onions				1		
	Bed Onions						
	Yellow Onlons		35. 35. 34.				
	Yellow-Onlons						
यव	Béll Peppers	Choice					
	Bell Peppers	Large					
	Bell Peppers	X Large					
	Broccoli						
	Watermelon Seeded	W W V					
	Watermelon Seeded	128		Harris and the state of the]		
35	Watermelon Seedless	boxes					
	Watermelon Seedless	7.3			1		
NY E-X	Pickles						
	Pickles						
3	POINTS	TAP			1		
	Thonk 3	100			1		
	Total Amount D	ue			1		

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Mail Cooler 14301 S. Roberts Rd 140 Heron Way Stockton, CA 95206 Merced, CA 95341 Phone (209) 943 5147 Phone (209) 723 3716 Fax (209) 465 6928 Fax (209) 723 3719

Invoice 28754 20/48

Date 8/2/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Produce of USA

P.O.	Number	Terms	Due Date	Re	ep		Via
		Net 10	8/12/2010	G	С		Abbate
Quantity	-	Description			Price Eac	ch	Amount
10 25	Corn Spaghetti Banana Kabocha sm Bell Peppers - Ch				1- 1: 1-	8.50 4.85 2.85 6.00 7.85	263.50 237.60 128.50 400.00 769.30
	Thank	you for your business		Т	otal		\$1,798.90

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

ATTE FARMS Office Cooler PO Box 755 140 Heron Way French Camp, CA 95231 Merced, CA 95340 (209) 723-3716 (209) 943-5147 Fax (209) 72**3** Fax (209) 465-6928 SOLD TO: PURCHASE ORDER: DATE: PACK PRICE AMOUNT QUAN 5 m 200 Green Cabbage Red Cabbage Savoy-Cabbage DZ Dandelion 2 1/2 DZ Regular Parsley 5 DZ Regular Pareley 2 ½ DZ Italian Parsley 5 DZ Italian Parsley O Celery Root DZ Beets DΖ Leeks Red Onlons Red Onions Yellow Onlons Yellow Onions Bell Peppers Choice Bell Peppers arge Bell Peppers X Large Broccoli. Watermelon Seeded Watermelon Seeded Watermelon Seedless 141 Watermeton Seedless Pickles Pickles Total Amount Due - 0**0**0040

21/48

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 28755

Date

8/4/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	8/14/2010	GC		Abbate
Quantity		Description	n	Price	Price Each Amou	
35 49 49 49		Large			7.00 8.00 11.00 6.00	245.00 392.00 539.00 294.00
	Thanl	k you for your business		Total		\$1,470.00

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

Case 4:11-cv-00319-PJH Document 1-2 Filed 01/21/11 Page 42 of 58

Cooler Heron Way. PO Box 755 Merced, CA 95340 209) 723-3716 French Camp, CA 95231 (209) 943-5147 Fax (209) 465-6928 Fax (209) 723-3719 SOLD TO: DATE: PURCHASE ORDER: PACK PRICE **AMOUNT** QUAN ITEM Romaine : Green Leaf Red Leaf Butter Green Cabbage Red Cabbage Savoy Cabbage 1 DZ Dandelion 2 1/2 DZ Regular Parsley 5 DZ Regular Parsley 2 ½ DZ Italian Parsley 5 DZ Italian Parsley (3 Celery Celery Celery Root O DZ Beets. 2 1 DZ Leeks **Red Onions** Red Onions Yellow Onions Yellow Onions Choice Bell Peppers Bell Peppers Large X X Large Bell Peppers Broccoli Watermelon Seeded Watermelon Seeded Watermelon Seedless Watermelon Seedless 12 **Pickles** Monk **Total Amount Due**

19/48

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

28756 /6/48 8/7/2010

Date

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
,		Net 10	8/17/2010	GC		Abbate
Quantity		Description	1	Price	e Each	Amount
35 49 49 45 45	Eggplant 24 ea Yellow Onions M Yellow Onions C Bell Peppers - Ch Bell Peppers - X L	arge			7.85 7.00 7.85 7.85 6.85 10.85 7.85 115.00	706.50 245.00 384.65 384.65 308.25 488.25 384.65 531.65 345.00
	Thank	you for your business		Total		\$3,778.60

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The selfer of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereuper shall be considered sums owing in connection with this transaction under

Case 4:11-cv-00319-PJH Document 1-2 Filed 01/21/11 Page 44 of 58

7/48

Merced (209) 72 Fax (20	9) 723-3719 () U	P	Cooler PO Box 755 French Camp, CA 95231 (209) 943-5147 Fax (209) 465-6928				
SOLD PURCE	IO: <u> </u>		(O <i>C</i>). DA	91	7 <i>H</i> o		
QUAN	ITEM	PACK	PRICE				
4.5	Romaine						
a san ann agus	Green Leaf			والمراجع والمستوارة والمراجع والمراجع والمراجع			
	Fied Leaf				<u> </u>		
90	Onlor	427					
35	Green Cabbage		97 - 37 - 37 - 37 - 37 - 37 - 37 - 37 -	د. د پاد د پذیری دو د مشاه دوم			
	Red Cabbage	artina A					
	Savoy Cabbage			and the state of t			
i karantania Ziringan	Dandelión	1 DZ			Tong Paper		
	Regular Parsley	2 ½ DZ					
erical and an all	Regular Parsley	5 DZ)	4				
Topics Substitute	Italian Parsley	2 ½ DZ					
	Italian Parsley	5 DZ					
U9	CHETY 299 DIS	18			•		
Ц9.	College 209 Plant			o a	5		
	Celery Root		70.00	a L			
an - Conservation	Beets	1 DZ		201	;		
	Leeks	1 DZ		O !	1		
	Red Onions						
1	Red Onlons			- 4			
45	Yellow Onions	M					
45	Yellow Orions	C		Contraction of the contraction o			
49	Bell Peppers	Choice	6.2 A. S.				
	Bell Peppers	Large		i e e e e e e e e e e e e e e e e e e e			
49	Bell Peppers	X Lärge					
3 4 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5 5	Broccoli						
	Watermelon Seeded			A CONTRACTOR AND AND			
and a distrib	Watermelon Seeded						
3	Watermelon Seedless	#S					
	Watermelon Seedless						
المراقع	Pickles						
ک گرخدند برای نیو	Pickles			The state of the s			
10	PALLETS	(AR)					
	7	7					
	Total Amount Du	e		and the second			
			E	XHIBI	ΤD	0000	/

17/48

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 28757 10/48

Date

8/10/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
		Net 10	8/20/2010	GC		Abbate
Quantity	1	Description	1		Price Each	Amount
56 28 90	Eggplant 24 ea Eggplant 18 ea Cilantro, 5 dzs Yellow Onions #2 Bell Peppers - Ch	J			7.85 7.85 15.50 7.00 7.85	439.60 439.60 434.00 630.00 384.65
	Thank :	you for your business		Tot	al	\$2,327.8

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

Case 4:11-cv-00319-PJH Document 1-2 Filed 01/21/11 Page 46 of 58

EFARMS Cooler PO Box 755 40 Heron Way French Camp, CA 95231 Merced, CA 95340 (209) 943-5147 (209) 723-3716 Fax (209) 465-6928 Fax (209) 723-3719 SOLD TO: DATE PURCHASE ORDER PACK PRICE **AMOUNT** QUAN ITEM: Romaine-Green Leaf 8 502 Savoy Cabbage 1 DZ Dandelion 2 ½ DZ Regular Parsley ŝ DZ Regular Parsley Italian Parsley 2 1/2 DZ 5 DZ Italian Parsley Celery 3) Celery Celery Root 1 DZ Beets I DZ Œ Leeks **Red Ontons Red Onions** H2M Yellow Onlons Yellow Onions **Bell Peppers** Choice **Bell Peppers** Large X Large **Bell Peppers** Broccoli Watermelon Seeded Watermelon Seeded Watermelon Seedless Watermelon Seedless **Pickles** Pickles Total Amount Due

11/48

BIT B - 000046

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719

Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 28758 1 2/48 8/11/2010

Date

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Rep		Via
•		Net 10	8/21/2010	GC		Abbate
Quantity		Description	1	Price	Each	Amount
90	Corn Yellow Onions M Yellow Onions J Bell Peppers - X I	‡ 2			8.50 5.00 7.00 10.85	680.00 450.00 630.00 531.65
	Thank	you for your business	-	Total		\$2,291.6

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

Office 140 Her Merced (209) 72	On Way CA 95340 3-37.16 9) 723-3749	19	Coole PO Bo Frenci (209)		CA 9523	
SOLD	al de los vienes	1		UC€	2/41	710
	IASE ORDER:	i de comite	DA	32.75°F	31 111	10
QUAN	A DETERMINENT	PACK	PRICE	AMO	TRUC	4
	Homaine					
	Green Leaf					
	Rediceal -					4 1
180	PCOYN	1 2 3 2		3.00		
32.352.4	Green Cabbage					
14.3	Red Cabbage					
	Savoy Cabbage	3. 3. 3. (1. (1. (1. (1. (1. (1. (1. (1. (1. (1	<u> </u>			
	Dandelien	1 DZ			2	
	Regular Parsley	2 ½ DZ	- "	_ <u> </u>	esperiment.	
	Regular Parsley	5 DZ	. '7)			
	Italian Parsley	2 ½ DZ				
	Italian Parsiey	5 DZ	*	and the second second second	e at a planting	
	Celery	2.2.65	de la companya de la		i e e e e e e e e e e e e e e e e e e e	
4.54	Celery		2 -	Si James and	y needs	
	Celery Root		35			1 1
	Beets	1 DZ	Carl			
	Leeks	1 DZ	. <u>I</u>			
	Red Onlons		1		\geq	
	Red Onions			1		
90	Yellow Onions	MH2				
90	Yellow Onions	7#2	14		ing the second	
	Bell Peppers	Choice				
	Bell Peppers	Large	7	ノ		
LIQ	Bell Peppers	X Large		»\.		
	Breccoli		Plant La la		1.4	
	Watermelon Seeded					1
	Watermelon Seeded					
	Watermelon Seedless			A A TO THE RESERVE OF	ماريد. ماريد و کورو	
	Watermelon Seedless					
	Pickles				498777717	
	Pickles			44		1 1
7	a la	/ AF	1			
1			· / ·	<u> </u>	·	5
1827 Pag 28 1 1938	TAINAN C			- Amer		- 0000

13/48

Invoice 28760

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

28/00/14/48

Date

8/12/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Re	эр	Via
		Net 10	8/22/2010	G	С	Abbate
Quantity		Description			Price Each	Amount
. 45	Yellow Onions M				8.50	382.50
	Thank	you for your business		T	otal	\$382.50

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

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			T			
-3		on Way CA 95340			Camp, CA	95231
	(209) 72 For (200				43-5147 19) 465-6928	
	rax \20:	1)723-3719 \(\hat{1}\) \(\alpha\) (3	. FQX (21)3) ,4 63-6326	
V.	SOLD 1	0: 1.0	YOU	30C		
	PURCH	ASE ORDER:		DA	re:_ & /	2/10
	QUAN	FEN	PACK	PRICE	AMOUN	FT.
		Romaine				. minus et
	Andrew State	Green Leaf				
		Red Leaf				
		Butter				100
		Green Cabbage				
		Red Cabbage				
		Savoy Cabbage				
		Dandelion	1 DZ			
		Regular Parsley	2 ½ DZ			
		Regular Parsley	5 DZ	****	E	
1.0		Italian Parsley	2 ½ DZ		3	
		Italian Parsley	5 DZ			
10		Celery		8	220	
		Celery				
		Celery-Root				i sela es
		Beets	1.DZ			
		Leeks	1 DZ			
		Red Onlons				
,	700 F 64-4	Red Onions	. 7		45 54 54 55 55	
	45	Yellow Onions	M			
		Yellow Onions	14		***************************************	
		Bell Peppers	Choice			
	And her	Bell Peppers	Large			
		Bell Peppers	X Large			
		Broccoli				
		Watermelon Seeded				
		Watermelon Seeded				
		Walermelon Seedless		15 C	s gradie – mark audi Programmer – market audi	
		Watermelen Seedless				
	GIPA DAI	Pickles				
		Pickles			<u> </u>	
	- A -	0 15-16	N F 1		<u> </u>	
	+	YOHL++5 J	451		<u> </u>	
5.) 3.1		Total Amount Da	20-1			
1	7-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	A SAMISMONICON			FXHI	DIT
j,	<i>T_c</i> ·	A Section 1				

15/48

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Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 Invoice **28761** 8/48

Date

8/14/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Produce of USA

P.O.	Number	Terms	Due Date	Re	p		Via
		Net 10	8/24/2010	G	С		Abbate
Quantity		Description	1		Price Ea	ch	Amount
98 35 40	Jalapeno Pepper Green Cabbage Corn					4.00 7.00 8.50	1,372.00 245.00 340.00
	Thank yo	ou for your business		T	otal		\$1,957.00

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

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Case 4:11-cv-00319-PJH Document 1-2 Filed 01/21/11 Page 52 of 58

Cooler PO Box 755 leron Way Merced, CA 95340 French Camp, CA 95231 (209) 943-5147 (209) 723-3716 Fax (209) 723-3719 Fax (209) 465-6928 SOLD TO: DATE: PURCHASE ORDER: PACK PRICE AMOUNT QUAN ITEM Romaine Green Leaf Red Leaf Green Cabbage Red Cabbage Savoy Cabbage Dandelion 1 DZ Regular Parsley 2 1/2 DZ 5 DZ Regular Parsley Italian Parsley 2 ½ DZ 5 DZ Italian Parsley CHETY COM Celery Celery Root Beets 1 DZ 1 DZ Leeks **Red Onions Red Onlons** Yellow Onions Yellow Onions **Bell Peppers** Choice Bell Peppers Large **Bell Peppers** X Large Broccoli Watermelon Seeded Watermelon Seeded Watermelon Seedless Watermelon Seedless Pickles **Pickles** Total Amount Due TB-000052

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719

Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 28762 **6/**

Date

8/17/2010

Sold To

Ship To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080

Produce of USA

P.O.	Number	Terms	Due Date	Re	ep e	Via	
		Net 10	8/27/2010	G	С	Abbate	
Quantity		Description			Price Each	Amount	
180 180 98	Watermelon Seed Cilantro, 5 dzs	2 M			6.00 100.00 14.00 7.00 10.00 7.00 5.00 6.85 8.85	800.00 1,260.00	
	Thank	you for your business		T	otal	\$6,450.60	

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

Payments are to be sent to the above referenced address

The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized under section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7) U.S.C. 499e(c). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other product derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received. Signature on this invoice indicates acceptance of the terms and condition on this invoice. Problems must be reported in writing within 24 hours after product has been received or invoice is payable in full. Interest at 1.5% monthly added to unpaid balance. Interest and attorney fees necessary to collect any balance due hereunder shall be considered sums owing in connection with this transaction under PACA Trust.

EFARMS

. . fferon Way Merced, GA 95340 (209) 723-3716 Fax (209) 723-3719 Cooler
 PO Box 755
 French Camp, CA 95231 (209) 943-5147
 Fax (209) 465-6928

7/48

Fax (209) 723-3719 SOLD TO: DATE 8119/10 **PURCHASE ORDER** QUAN ITEM PACK PRICE **AMOUNT** Romaine Green Leaf Red Leaf Green Cabbage Red Cabbage Savoy Cabbage Dandellon 1 DZ 2 1/2 DZ Regular Parsley Regular Parsley 5 DZ Italian Parstey 2 ½ DZ Italian Parsley 5 DZ Celety Celery Root 633 F. F. 1 DZ Beets 1 DZ Leeks Red Onions Red Onions Yellow Onions Yellow Onlons MHZ Bell Peppers Choice Bell Peppers Large Bell Peppers X Large Broccoli Watermelon Seeded Watermelon Seeded HC CONTO " Watermelon Seedless Pickles Pickles **Total Amount Due**

Received By

EXHIBIT B - 000054

Date

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719 Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928 Invoice 28763 4/48

Date

8/17/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Borg Coast Tropical

Produce of USA

P.O. Number		Terms	Due Date	Re	р	Via	
		Net 10	8/27/2010	G	С	Abbate	
Quantity		Description			Price Each	Amount	
90	Yellow Onions M				8,00	720.00	
	Thank	you for your business		T	otal	\$720.00	

Please Note:

Payment is due within 10 days from date of sale. A finance charge of 1.5% per month will be charged on all past due accounts.

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AB.	ATEFARI	IS	2	8/63	
Office			Cooler		
140 Heron Way			PO Bo		
	, CA 95340 ≥3-3716	French	i Camp, CA 95 43-5 1 47	5231	
	9) 723-3719		09) 465-6928		
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PURCI	HASE ORDER		DA	E-0/17	<u>4</u> 6
QUAN	TEM	PACK	PRICE	AMOUNT	
	Romaine				
	Green Leaf /01	9. (ast	Tropico	7
	Red Leaf				
	Butter				
	Green Cabbage				
	Red Cabbage				
	Savoy Cabbage		₩ 4 	- 2 <u>- 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2 - 2</u>	
	Dandelion	1 DZ			
	Regular Parsley	2 ½ DZ		The second secon	
	Regular Parsley	5 DZ		The second secon	
	Italian Parsley	2 ½ DZ	e la companya de la companya del companya del companya de la compa		
	Italian Parsley	5 DZ			
	Celery		Œ	्र	
	Celery	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	O		
	Celery Root			M. 5	
	Beets	1 DZ	O	8	
	Leeks	1 DZ			
	Red Onions			_ 55	
	Red Onions				
MO	Yellow Onions	M			
	Yellow Onions				
	Bell Peppers	Choice		in the second of the second	
	Bell Peppers	Large			
	Bell Peppers	X Large		The second of th	
	Broccoli				
	Watermelon Seeded				
	Watermelon Seeded				
	Watermelon-Seedless				
	Watermelon Seedless	· 连条44			
	Pickles				
	Pickles				
	901104c	(Ac		ray says and	
			■ 527% - 3-4 . 10-10-10-10-10-10-10-10-10-10-10-10-10-1		
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		<u> </u>	لفسيد	ЕУШП	

5/48

Invoice

Mail 140 Heron Way Merced, CA 95341 Phone (209) 723 3716 Fax (209) 723 3719

Cooler 14301 S. Roberts Rd Stockton, CA 95206 Phone (209) 943 5147 Fax (209) 465 6928

28764

Date

8/21/2010

Sold To

P.Y. PRODUCE 125 TERMINAL CT STALL 62 S. SAN FRANCISCO, CA 94080 Ship To

Produce of USA

P.O. Number		Terms Due Date		Rep		Via	
		Net 10	8/31/2010	GC		Abbate	
Quantity		Description		Price	Each	Amount	
35 56 56	Eggplant 18 ea kabocha	ess, ***Repacked into E	oxes***		8.00 6.50 8.00 16.00 12.00	448.00 227.50 448.00 896.00 840.00	
-	Thank	you for your business		Total	L	\$2,859.50	

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Case 4:11-cv-00319-PJH Document 1-2 Filed 01/21/11 Page 58 of 58

Cooler PO Box 755 ed, CA 95340 (09) 723-3716 Fax (209) 723-3809 French Camp, CA 95231 (209) 943-5147 Eax (209) 465-6928 DATE **PURCHASE ORDER** ITEM PACK PRICE AMOUNT 4# 2 Green Leaf Red Leaf Butter A () Green Cabbage Red Cabbage Savoy Cabbage Dandelion 1 DZ Regular Parsley 2 ½ DZ 5 DZ Regular Parsley Italian Parsley 2 1/2 DZ Italian Rarsley 5 DZ Celery Root Beets 1 DZ Leeks 1 DZ **Bed** Onions **Red Onions** Yellow Onions - 5 Yellow Onions Bell Peppers Choice Bell Peppers arge Belf Peppers First Cach (Large 9 Watermelon Seeded Watermelon Seeded Watermelon Seedless Watermelon Seedless Pickles **Pickles** Total Amount Due

3/48

°**0**00058